

VICKI H. YOUNG
Law Offices of Vicki H. Young
706 Cowper Street, Suite 205
Palo Alto, California 94301

Telephone (415) 421-4347
Fax (650) 289-0636

Counsel for Adrian Angel Lopez

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

2/1/2012

UNITED STATES OF AMERICA,

Plaintiff,

v.

ADRIAN ANGEL LOPEZ,

Defendant.

No. CR 10-00236 EJD

STIPULATION RE CONTINUANCE
OF STATUS DATE; ~~PROPOSED~~
ORDER

It is hereby stipulated between the defendant Adrian Angel Lopez, by and through his attorney of record VICKI H. YOUNG, and the government, through Assistant United States Attorney Allison Danner, that the status date of February 6, 2012, at 1:30 p.m. be continued to March 12, 2012, at 1:30 p.m. The reason for this continuance is that the parties agree that the alleged drug samples can be retested by a defense expert. A defense expert has been retained. It will take additional time for the ATF agent to transport the drug samples to the laboratory and for the expert to complete his testing and analysis.

Under Title 18 U.S. C. §3161(h)(7)(B)(iv), the continuance is necessary to allow the attorneys for the government and the defense the reasonable time necessary for effective preparation taking into the account the exercise of due diligence. Since defense counsel is awaiting the results of the

STIPULATION RE CONTINUANCE;
[PROPOSED] ORDER

1 drug retesting, the time period from February 6, 2012, through March 12, 2012, should be excluded.

2 It is so stipulated.

3 Dated: January 27, 2012

Respectfully submitted,

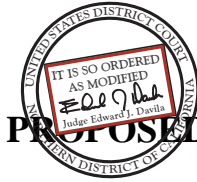
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6 /s/ Vicki H. Young
VICKI H. YOUNG, ESQ.
Attorney for Adrian Angel Lopez

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9 Dated: January 30, 2012

MELINDA HAAG
UNITED STATES ATTORNEY

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12 /s/ Allison Danner
ALLISON DANNER
Assistant United States Attorney

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STIPULATION RE CONTINUANCE;
[PROPOSED] ORDER



PROPOSED ORDER

GOOD CAUSE BEING SHOWN, the status date appearance set for February 6, 2012, is continued to March 12, 2012. This Court finds that the period from February 6, 2012, through and including March 12, 2012, is excludable time under the Speedy Trial Act, 18 U.S.C. §3161(h). The basis for such exclusion is that additional time is needed for defense counsel to have the drug samples tested by a defense expert. Therefore the ends of justice served by such a continuance outweigh the best interest of the public and the defendants in a Speedy Trial within the meaning of Title 18 U.S.C §3161(h)(7)(A).

As required by 18 U.S.C §3161 (h)(7)(A), this Court finds that the reason that the ends of justice outweigh the best interest of the public and the defendant in a speedy trial are the denial of the continuance would unreasonably deny both the attorney for the government and the attorney for the defendant reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. §3161(h)(7)(B)(iv).

DATED: February 1, 2012

EDWARD J. DAVILA
UNITED STATES DISTRICT JUDGE